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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-----------------------------------|------------------------|
| 10/599,415 | 02/05/2007 | Maurice Granger | 1759.234 | 8552 |
| 23405 7590 04/20/2010 HESLIN ROTHENBERG FARLEY & MESITI PC 5 COLUMBIA CIRCLE ALBANY, NY 12203 | | | EXAMINER RIVERA, WILLIAM ARAUZ | |
| | | | ART UNIT 3654 | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/599,415

Applicant(s)

GRANGER, MAURICE

Examiner

William A. Rivera

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-14 is/are allowed.
- 6) ☒ Claim(s) 1-3,5 and 17 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rasmussen (WO 96/23719) in view of Sichert (German Patent No. G 89 12 053) and German Patent No. 627,094.

With respect to Claims 1-3, 5, and 17, Rasmussen, Figures 1-10, teach an endpiece 18 integrated into a core for a reel of material, of the type the endpiece comprising a cylindrical part 34 engageable in said core, a collar 36 that bears against an adjacent face of the endpiece, and a projecting overhanging appendage 20, the projecting appendage being provided along its length with a guiding retention groove 26 able to act as a guide path. Sichert, Figures 3 and 4, teaches in combination with a guide 16 formed on a bracket 11 supporting the reel of material adjacent to a dispenser housing, and wherein said guide is on an inside of the bracket on a side on which the guide can accept the reel of material, and wherein the guide has slightly raised lands 42 forming and defining a channel to accommodate the appendage 24 of the endpiece for the passage and retention of the endpiece and is continued by a part that accommodates the endpiece after insertion of the appendage in the guide. It would have been obvious to one of ordinary skill in the art to provide Rasmussen with a bracket having raised lands, as taught by Sichert for the purpose of preventing the spindle from moving axially. Rasmussen in view of Sichert teach all

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the elements of the bracket except for the guide defining a generally L-shaped channel.

However, German '094, Figure 1, teaches the use of an L-shaped channel 10. It would have been obvious to one of ordinary skill in the art to provide Rasmussen in view of Sichert with an L-shaped channel, as taught by German '094, for the purpose of allowing the roll to be further away from the support surface thereby allowing the accommodation of larger rolls.

Claims 1-3, 5, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sichert (German Patent No. G 89 12 053) in view of Rasmussen (WO 96/23719) and German Patent No. 627,094.

With respect to Claims 1-3, 5, and 17, Sichert, Figures 3 and 4, teaches in combination with a guide 16 formed on a bracket 11 supporting the reel of material adjacent to a dispenser housing, and wherein said guide is on an inside of the bracket on a side on which the guide can accept the reel of material, and wherein the guide has slightly raised lands 42 forming and defining a channel to accommodate the appendage 24 of the endpiece for the passage and retention of the endpiece and is continued by a part that accommodates the endpiece after insertion of the appendage in the guide. Rasmussen, Figures 1-10, teach an endpiece 18 integrated into a core for a reel of material, of the type the endpiece comprising a cylindrical part 34 engageable in said core, a collar 36 that bears against an adjacent face of the endpiece, and a projecting overhanging appendage 20, the projecting appendage being provided along its length with a guiding retention groove 26 able to act as a guide path. It would have been obvious to one of ordinary skill in the art to replace the elongated spindle with opposed stub spindles, as taught by Rasmussen, for the purpose of creating a tight fit between the spindle and the core of the roll. Sichert in view of Rasmussen teach all the elements of the bracket except for the guide defining

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a generally L-shaped channel. However, German '094, Figure 1, teaches the use of an L-shaped channel 10. It would have been obvious to one of ordinary skill in the art to provide Rasmussen in view of Sichert with an L-shaped channel, as taught by German '094, for the purpose of allowing the roll to be further away from the support surface thereby allowing the accommodation of larger rolls.

Allowable Subject Matter

Claims 6-14 are allowed.

Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments with respect to claims 1-5 and 17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

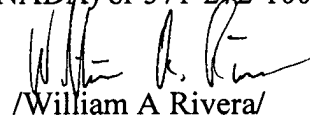
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William A. Rivera whose telephone number is 571-272-6953. The examiner can normally be reached on Monday to Friday - 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Q. Nguyen can be reached on 571-272-6952. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



/William A Rivera/

Primary Examiner, Art Unit 3654

April 16, 2010